

Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 CIAE-00 PM-04 INR-07 L-03 ACDA-05

NSAE-00 PA-01 SS-15 PRS-01 SP-02 USIA-06 TRSE-00

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FM AMEMBASSY LONDON

TO SECSTATE WASHDC 5283

SECDEF

INFO USMISSION NATO BRUSSELS

USCINCEUR

C O N F I D E N T I A L LONDON 15239

E.O. 11652: XGDS-1

TAGS: MARR, MASS, UK, US, NATO

SUBJ: US-UK MOU

1. IN CONNECTION WITH THE US-UK COOPERATION ARRANGEMENT SIGNED IN LONDON BY SECDEF AND ROY MASON ON SEPTEMBER 24, ERIC STANFORD OF THE UK DEFENCE SALES ORGANIZATION ON BEHALF OF REGINALD ANDERSON (CURRENTLY OUT OF TOWN) CALLED EMBOFF TODAY TO ASK THAT WE CONVEY BRITISH UNDERSTANDING OF THE ANDERSON/DOD DISCUSSIONS ON 3 SEPTEMBER RELEVANT TO SECTION A, PARAGRAPH 2C(I). IT IS APPARENT TO US THAT WHAT IS WORRYING THE MOD IS THAT THE OVERALL MEANING WHICH COULD BE GIVEN TO THAT SECTION OF THE MOU IN LIGHT OF THE PHRASE "CONSISTENT WITH NATIONAL LAWS AND REGULATIONS" MIGHT BE INTERPRETED BY DOD AS AN ESCAPE FROM HAVING TO WAIVE "BUY NATIONAL" (I.E., BUY AMERICAN) DIFFERENTIALS. WHAT THE MOD IS AFTER IS OBVIOUS: REASSURANCE FROM DOD THAT ANDERSON IS CORRECT IN BELIEVING THAT "IT IS NOT THE US INTENTION THROUGH THIS CLAUSE TO PROVIDE A LET OUT TO THE AGREEMENT TO WAIVE "BUY NATIONAL LAWS AND REGULATIONS". IT IS THE BRITISH UNDERSTANDING THAT THE LANGUAGE OF THE ABOVE RELEVANT PARAGRAPH "WAS NEEDED MERELY TO MAKE CLEAR, PARTICULARLY TO CONGRESSION-

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AL CRITICS, THAT ANY WAIVER WILL BE DONE IN ACCORDANCE

WITH THE WILL OF CONGRESS AS EXPRESSED IN STATUTES,
RATHER THAN COUNTER TO THE WILL OF CONGRESS". THIS IS
ANDERSON'S INTERPRETATION OF THE THRUST OF THE 3 SEPTEMBER
DISCUSSIONS ON THIS POINT AND THE MOD IS HOPEFUL THAT DOD
CAN CONFIRM THAT UNDERSTANDING.

2. REQUEST WASHINGTON VIEWS AND GUIDANCE ON ABOVE.

SPIERS

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NNN

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